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March 2, 2023

VIA ECF

Hon. Susan D. Wigenton, U.S.D.J.
United State District Court
District of New Jersey
M.L.K., Jr., Federal Building & U.S. Courthouse
50 Walnut Street
Newark, NJ 07102

**Re: Yasmine Coello v. DiLeo, et al.
Civil Action No.: 2:20-cv-01682-SDW-LDW**

Dear Judge Wigenton:

This firm represents Plaintiff Yasmine Coello in the above referenced matter. We write with respect to the Motion to Dismiss currently pending before this Court. ECF No. 28.

On October 21, 2020, Your Honor issued an Opinion and Order granting the Motion to Dismiss Plaintiff's First Amended Complaint filed by Defendants City of Linden, Nicholas P. Scutari, Richard J. Gerbounka and Louis M.J. DiLeo ("Linden Defendants"). ECF Nos. 33 & 34. On December 4, 2020, Your Honor issued another Opinion and Order denying Plaintiff's Motion for Reconsideration. ECF Nos. 39 & 40.

The Plaintiff subsequently appealed the decision to the United States Court of Appeals for the Third Circuit. On August 8, 2022 the Third Circuit Court of Appeals issued a Judgment and Opinion reversing Your Honor's decision. 3d Cir. ECF Nos. 33 & 34. The Third Circuit also remanded for the District Court to consider the other arguments raised by the Linden Defendants in their Motion to Dismiss. *Id.* The USCA Mandate was entered on August 30, 2022. ECF No. 60. Plaintiff filed a proposed form of order pursuant to Local Civil Rule 79.4 and the Order was signed by Your Honor on September 6, 2022. ECF No. 62.

At this time, we are respectfully requesting that the Court provide an update with respect to the pending Decision and Order on the Linden Defendants' aforementioned Motion.

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Thank you in advance for your time and attention to this matter.

Respectfully submitted,

SINGLETON LLC

By: /s/ Brian D. Singleton
Brian D. Singleton, Esq.

cc: All counsel (via electronic filing)